

Fairfax County Police

Case #

Transcribed on November 12, 2002

MALVO: How long can we do this, no we can't do this this long, no, what's the need...oh God they're storming, they're like ticks instead of having sixty reporters you got 320. And they just blowing the story out of portion, America is at a state of war, the national guard(inaudible) that's it, that's it.

Garrett: What would you have done at that point?

MALVO: Next phase.

Garrett: Oh that would have been the next phase?

MALVO: Yeah

Garrett: You start shooting the National Guard?

MALVO: Shoot the national guards no, why? That's a waste of a lot of energy. A lot of people work in the National Guard, a lot of people, this would have been a joint operation.

Garrett: So it's giving you more targets.

MALVO: More targets, you wouldn't have a clue, it would have been a massacre, that's how you'd have looked at it. It's like.

Q: 8:35 now and we appreciate you talking to us, you still doing ok?

MALVO: Uh-huh

Q: Still, you can, can, you still want to talk to us, you mind talking to us?

MALVO: Mind, what else do I got to do, talk to the wall, hey wall, oh you're a new wall, I haven't seen you for a long time.

Q: Well we want to make sure you're doing ok, um.

Garrett: You need to go to the bathroom, water, coke, I don't know if you drink sodas? Do you drink sodas?

MALVO: No it stretches your intestines.

Garrett: Not good.

MALVO: It stretches your intestines.

Garrett: Bad for you, very bad for you.

Q: So you're still ok with everything right, we read you your rights, your fine to talk to us without an attorney you, you still want to talk to us, you don't mind talking to us?

MALVO: I don't mind.

Q: Ok...

MALVO: I'm dead.

Q: Huh?

MALVO: I'm dead, even, even my attorney's we can't do nothing for you. They're just sitting there, that's all they're doing, sitting there. Ok, they told us sit there this is our job, we sit here.

Q: Ok, we just wanted to make sure you had something to eat and all that and to drink.

MALVO: I want to go home, got to go to the restaurant, we'll just buy time, I know the 3 phases this could take you, get caught in the certain places in, in a week, tried, convicted, ready for death. Certain places more humane in an instance, but everyone's gonna get their nab at you Virginia's gonna get there nab at me. Alabama's gonna get

their nab at me. Louisiana's gonna get their nab at me. Know what that means. They gonna talk to the boys in Washington Attorney's their just, they have nothing to say, they have nothing to say. You sit in the court, say something, god, at least put up a fight. I know but I knew it wasn't gonna happen. Because they gonna provide the attorneys, who's gonna, they don't even use the word innocent or alleged, nuh, no, the way they speak their actions, reactions, guilty, guilty, see that's what they go into existence.

Q: But you are guilty right?

MALVO: Uh no.

Q: No

Garrett: Uh, were, were you at the, the Tropicana Restaurant?

MALVO: Tropicana?

Garrett: It's Jamaican Restaurant up on, uh, uh the older gentleman, the older black male.

MALVO: Tropicana Restaurant, no I wasn't at Tropicana.

Garrett: Ok

MALVO: Close to it.

Garrett: But you were close to it.

MALVO: Yes

Garrett: The older, the older black gentleman that was shot.

MALVO: Yeah stop crossing the road.

Garrett: He was crossing the road right. He was stopped, there was a stop sign right?

MALVO: Yeah, we were gonna take out one of the people in the car.

Garrett: I'm sorry.

MALVO: We were gonna take out someone in the car.

Garrett: You were going to take someone out?

MALVO: Yeah, see we, we, this glass cause a light round like that it's not gonna penetrate. A .308 and above, it would have...

Garrett: It would?

MALVO: It would, it went straight. No slugs 9mm just gonna go off it, but a flat glass it would have went straight through.

Garrett: So you thought about shooting somebody in a car, is that what you were saying?

MALVO: Uh-huh just straight through bam hit the, glass and then go ahhhh, there would have been crash, commotion, da, da, da, da.

Garrett: Why didn't you do that?

MALVO: Uh we he went better. You know why take the chance and the bullet, light round ricocheting.

Garrett: So you got him standing at a stop sign?

MALVO: Yeah

Garrett: Right.

MALVO: Right. No one was going to be seen, someone driving at the stop sign.

Garrett: Was that an easy shot for you?

MALVO: It wasn't hard, I, I, I know the round, I know its capabilities. It's, its, it's a confused around.

Garrett: Yeah

MALVO: With, with a lead tip you stand a better chance.

Garrett: Right

MALVO: You could use that one but I still wouldn't, you, you go for the best possibilities, make your percentage higher. That's what you go for.

Q: Where, where'd you shoot him, what part of the body?

MALVO: Chest shot, he died about an hour later, same reaction.

Garrett: Could you tell when you shot him that he would die?

MALVO: Uh-huh

Garrett: Did he drop, pretty much, he didn't stagger?

MALVO: He went on his knees and then fell face forward.

Q: Did you stay there, hang around or leave?

MALVO: Watch what you did. We studied it.

Garrett: Did you watch us show up?

MALVO: Uh-huh, we (inaudible) at night. Just to let you know he ain't just gone, he's still there, DC. See these counties, how they work, everyone is a separate jurisdiction they all act like different countries, but when you bring them together they can't work together, cohesion doesn't go well.

Garrett: Uh-huh

MALVO: Everyone is this is my jurisdiction. Don't give me this jurisdiction crap. Yeah that's, that's how it works. I know that, you, that's why they kept coming out on the media, we're working together, you're not working together. Everyone has a little piece of information, holding it back, holding it back and that's how they are. That's people, everybody's got egos.

Garrett: Your, your exactly right.

MALVO: Let go of the egos it could have solved it the first day.

Q: You think? Did your targets matter whether it was male, female or you know age?

MALVO: Nobody.

Q: Just whoever got into that sight?

MALVO: Yeah whoever I picked.

Q: Do you ever feel bad about any certain one?

MALVO: No

Q: Nope? If you had it to do over, you'd do the same thing, huh?

MALVO: Yeah, I'd just blow up the weapon.

Garrett: I'm sorry?

MALVO: I'd just blow up the AR15, just blow it up.

Q: If, if we hadn't have caught you, you'd still be doing it?

MALVO: Right now?

Q: Uh-huh.

MALVO: You would have, you would have given in by now.

Q: But...

MALVO: I think you would have given in by now because you didn't know what was coming next.

Q: You mean giving in means we would have paid you off? But if you hadn't been paid off would you have still continue to shot and requested money?

MALVO: Yeah we had the resources to keep going.

Q: You did?

MALVO: Yeah everyone donated.

Q: Where were you getting cash money?

MALVO: You plan for, you plan for war, before war, so you have all our resources before. You, You don't have no money on you, but you have your money.

Garrett: That's available?

Q: Could you get the money when ever you wanted it?

MALVO: Uh-huh

Q: You were getting like, withdrawing money all the time?

MALVO: No not all the time. It was strict, diet strict, you don't need to withdrawal money for much. Gas, everything else, you just pay for gas.

Q: Was it your money or JOHN'S money?

MALVO: It was everybody's money. It, it was our money. You, you can do, it, you can't work in dis unity. Dis unity does not pay, that's the essence of failure, everyone has to be in one mind. Morals...blah.

Q: And so what, what was the reason that you did the uh 5 shootings in Montgomery County?

MALVO: Part of the plan.

Garrett: Part of the plan.

Q: I know but you, you, what was that sniper phase, 5 sniper phase or something?

MALVO: No it has nothing to do with numbers.

Q: I thought that's what you said to me?

MALVO: We don't get hold up on numbers and stuff, that, that will leave your ego and get you trapped cause you will be put in a situation where your ego you can't use it. It don't count for nothing. You gotta, you gotta change but if you hold on to something you hold onto a specific maneuver then, then you will fail.

Q: In, in Maryland when, when that started did you, did you know, obviously know ahead of time but did you, you plan to do it bam, bam, bam all those right in a row?

MALVO: I told you the whole things planned.

Q: Prior...

MALVO: You don't know what your doing, they didn't know what they were dealing with. They investigating over here, then investigate over here, investigate, investigate almost happened across the street. They didn't know what they were dealing with. They never seen this before.

Q: How do you know that?

MALVO: Cause I have a (inaudible) of what information. They have. It's all in books, that's where everything is, books.

Q: But do you, you had it all planned out ahead of time so you knew each spot you were gonna hit in Montgomery County that first day?

MALVO: Uh-huh

Q: Who did you hit the first day?

MALVO: We hit one, started in the morning.

Q: You hit one?

MALVO: A guy with his lawn mower, (*making lawn mower noise*) this then, we got spots lets go, teamwork.



Garrett: Teamwork?

MALVO: Yeah and then 2 hours time we got 4 down settled.

Q: Was it when you hit one, you said at night? Which one was that?

MALVO: At night.

Q: Did you say that you hit one then you hit in the morning, ok when you started over in Maryland what...

MALVO: Maryland.

Q: In Montgomery County, what were they, the guy with lawn mower you said...

MALVO: 5 one day.

Q: 5 in one day.

MALVO: One day 5 in 2 hours.

Q: Was the lawn mower first?

MALVO: Uh-huh

Q: Where does he get shot front or back?

MALVO: He turned backwards, he turned around backwards, did he turn around backwards, I don't remember, all I know is he got shot.

Q: Did you do that one?

MALVO: Yeah

Q: What, what were you aiming at?

MALVO: I just aim here, if he turns or not, you, it's certain, you put your self in a certain position, you can only see certain part of the body. But you know, whatever way he turns, its gonna be this side if his facing you and if he turns this way its gonna be this side it's as simple as it gets.

Q: So always shoot for in here?

MALVO: If he moves then...

Q: No, no I mean if he's moving?

MALVO: Yeah

Q: That's the and then are you shooting from the car at that point? Well those are Maryland ones, I'm, I'm, I'm just, I'm, I'm just curious.

MALVO: You're just curious to find out.

Q: Yeah, of how you can think?

MALVO: Yeah I know, that's why I'm not telling you (inaudible) you think he thinks this way.

Q: Ok, who was after the lawn mower?

MALVO: The lawn mower man, it was the shopper. The lawn mower man.

Q: Wait a second which shopper?

MALVO: The man that came out, the old man in the suit, I think it was a brown suit, it was a brown suit yes, came out behind his car with bags, shopping bags.

Q: Which, which kind of store?

MALVO: Uh it was a Safeway, some kind of supermarket around gas stations moving and all kind of commotion and all kind of stuff.

Q: Did he, he come out, out of the shopping?

MALVO: Yep, coming towards me.

Q: He was walking towards you?

MALVO: Yeah

Q: Where he'd get shot, chest?

MALVO: Down

Q: Pardon me?

MALVO: Chest

Q: Were you aiming at the chest?

MALVO: Uh-huh

Q: Did he, did you know you killed him right away? He dropped?

MALVO: Dead

Q: Dead.

MALVO: Uh-huh, people are already moving over there for a period of time, they don't even know what happened, people still walking.

Q: After you shot?

MALVO: Uh-huh no I think uh Asian people found him.

Q: Asian's found him?

MALVO: Uh-huh they pointed at him, they didn't go over cause their solemn people, they weren't getting into that. They just pointed at him, they went uh, start running towards him.

Q: Were you like in the parking lot or was this a long distance?

MALVO: It was a long distance.

Q: Long distance?

MALVO: But he can see everything that happens. We had all the equipment. Binoculars and everything (inaudible).

Q: Yeah but how can you hold the binoculars and hold the gun at the same time?

MALVO: Because you're trained that way and then when you're trained that way you can do it.

Q: So even you, even use a walkie-talkies on the outside how can you, how can you talk to JOHN on the walkie talkie as a spotter hold the binoculars hold the gun, what...

MALVO: That thing that's like this.

Q: Phone?

MALVO: Yeah what they have the phones.

Q: Oh you used a telephone to go back and forth, I thought you had walkie-talkies wasn't it or no?

MALVO: We had the walkie talkies but you had the headset, voice activated headset.

Q: Oh for the walkie-talkie you, I didn't even know they had headset uh voice activation for those, so you both had the headsets?

MALVO: Uh-huh

Q: And uh, ok, and then where do you put the walkie talkie?

MALVO: It's on the body.

Q: Oh just on your shirt or something?

MALVO: Uh

Q: On your belt?

MALVO: You have a packet that comes with the walkie-talkie, that sticks on your clothes.

Q: Uh

MALVO: You have several packets, you just buy a packet for walkie talkie. You know one on your belt we have all kinds of ways, they made all kinds of this is business.

Q: So you have walkie talkies on your side, you have a headphone on, he, oh its voice activated so he...

MALVO: It, it's not usually at your side because you move, it's usually your back.

Q: So where you carry yours on your back?

MALVO: Uh-huh

Q: In a backpack?

MALVO: On my back.

Q: On your back.

MALVO: On my back, uh unless, you don't roll over on your back much.

Q: Oh ok, and then.

MALVO: It, it, it's, it's not moving, its not dropable on your waist, you think of all that you gotta do.

Q: You have thought of that, ok so how, how are you carrying your binoculars and holding the gun?

MALVO: Cause its easy, you just practice that way, its, I have moves I can show you.

Q: You got your gun I mean and then use the binoculars, then put it down? But that if you have to use binoculars to see, how you gonna see to shoot?

MALVO: It, its small target, there is a small dot and I know, I, I know the weapon. I get a weapon, sniper get acquainted with his weapon

Q: I know but you were using the metal sight do. Do you use uh a scope at all?

MALVO: Use, uh small scope like this, it doesn't pull anything in. It's a battle site. For close encounters, with the, with the uh red line with a spot inside that's all it was. If you had had a scope, I can, I can hit you uh within uh 2 miles of it but that, that wasn't attached. If we had used that you wouldn't have a clue where the shot came from. We didn't want to use that because we wanted you to have a clue.

Q: You wanted us to have a clue?

MALVO: Yeah

Q: So if like, the, the guy that you're talking about that you shoot with the brown suit on, you said you were far away from him using binoculars. So if you use binoculars how are you getting the gun up there to see?

MALVO: The gun is there.

Q: So you're holding it up like this, with one hand?

MALVO: Uh-huh

Q: And then using binoculars here then what around your neck or?

MALVO: Put here and then and then you put down, he's coming put it down and he's in your sight.

Q: Can you hold that gun with one hand, you don't need it?

MALVO: I need two hands, you, you take a position or you can rest. You don't know take (inaudible)

Q: So what are you resting on, uh like shoppers for, or the shopping guy, what are you rest...

MALVO: You need something to rest on.

Q: Are you laying down or standing up?

MALVO: Snipers get sand bags and if your in the bushes use sticks on...

Garrett: You need something to rest it on.

MALVO: Yeah

Q: But, so the guy in the brown suit from the shopping, uh are you laying down or?

MALVO: You're getting too specific.

Q: I'm just curious how you can do all this and then.

MALVO: Just you, you just practice that's all it is. Cause (inaudible) you just train, train, train, and then execute. You do all the what ifs and if you don't do all the what ifs then they come up, but if you do all the what ifs then your covered, covered all bases.

Q: So if your far away and you're outside the car and all that your spotter will let you know if someone's coming up behind you or something then?

MALVO: Uh-huh

Q: Cause did any or during all these times did anyone ever walk up on you?

MALVO: Yeah people walk next to you people would jog beside me and didn't know.

Q: And then you break it all down.

MALVO: Wearing all brown, all green.

Q: And you break it right down right there and put everything in your bag and just walk away? And what then JOHN would pick you up down the street or what you had a rendezvous place?

MALVO: (inaudible)

Q: Well would you go for miles away from the car or was your car always close?

MALVO: All depends on how it is, you have to adapt. You, uh, uh that's what communication is, that's important.

Garrett: Uh in the last one the bus driver, was that just happen stance? Did he happen to stop his bus there?

MALVO: It was there for a while. Looking at him, walking back and forth, walking back and forth, walking back and forth just wait.

Garrett: Was that, was that any easy shot for you?

MALVO: Put it in, uh-huh just wait, he's gonna come back, he's a driver. All he had to do is just sit down that would have been enough, just like this that's it, that's all. Uh there was a lady in there with him, I saw a lady, I think I saw a lady, a lady.

Garrett: Did you use a scope with that shot?

MALVO: Huh?

Garrett: You did, you did use a scope with that shot?

MALVO: No I didn't consider it a scope. I considered it a battle sight.

Garrett: Well a battle site, ok, was that for you was that any easy shot?

MALVO: Uh-huh there all easy, there not hard.

Q: Did you use the battle site on all of them?

MALVO: All

Q: Ok

Garrett: Did uh, I guess the one I'm trying to think, there all running together, the one in Manassas at the gas station. Was he facing you or was he away from you I think



he was, I think you said he was messing around with his trunk and then he came back and he was pumping gas?

MALVO: Yeah he wasn't just completely this way, that's why he got hit in the head he was sideways.

Garrett: He was sideways to you, ok.

MALVO: You trying to figure out which location I would be in.

Garrett: Well I, no actually I'm not, I'm just trying to figure out so if you had general view of him cause you could have been.

MALVO: That's why, that's why you, he could have been any kind of way, it didn't matter. It just threw you off, cause you, you think, you think their not standing, their not just sitting, their not just walking, their not just.

Q: (inaudible)

Garrett: But he was sideways to you.

Q: So I mean he, like him, he's standing, here's the trunk of his car, where is he?

MALVO: Trunk.

Q: He's at the trunk, just like this, facing the trunk?

MALVO: That line right there, yes that's the trunk to here.

Q: Ok, so he's, I'm standing at the back of his trunk?

MALVO: No he's not standing at the back of his trunk, the pump is to the side.

Q: Oh he's on...

MALVO: The, the trunk is over there, I don't know about the heaviest (inaudible) in his trunk. When he came he turned like this. It was like this, you couldn't get a full, a full site at him.

Q: Ok so where is the trunk?

MALVO: Over there.

Q: This way?

MALVO: No

Q: No

MALVO: If you would stand from this way it's that way.

Garrett: So where's the gas station in reference to that behind?

MALVO: Oh the gas station.

Garrett: Yeah the main part of the station where the attendant is at?

Q: Here's the car, here, here's his car, that's the front of his car, the arrow it's right there, uh he's pulled up to the pump so a pump is right here.

MALVO: There's no pump there that's the front.

Q: What I'm saying the pumps are along here.

MALVO: Uh-huh

Q: Ok where is he standing? That's the car I'm talking about, you put the pumps where the pumps, does he pump from this side or from this side?

MALVO: That side.

Q: This side, so the pump is here and then where is he in standing?

MALVO: Beside (inaudible) pumps (inaudible) the car.

Q: Here?

MALVO: No to the front.

Q: Here?

MALVO: No go back.

Q: This way, this way?

MALVO: Yeah

Q: Here?

MALVO: Move in a little bit more, in, yeah.

Q: So he's right here?

MALVO: Yeah sideways.

Q: Ok, sideways meaning he's facing the car?

MALVO: He's facing the car.

Q: Ok so he's, he's looking at the car this way, so his back is to the pump?

MALVO: No he's looking at the car that way.

Q: Oh this way, ok so he's looking this way, that's the way his eyes go?

MALVO: Yes

Q: All right now I figured it out, ok, and then you shot. Where'd he get shot? Chest? You said uh he turned a little bit, gave you opening and took it here. Where, where was he shot oh on the head?

MALVO: You're mixing it up with someone else.

Q: I know, shot in the back of the head.

MALVO: He's shot from this section.

Q: So he's like here, here's his trunk, there's the pumps and I'm looking this way, he shot right here? Or over here?

MALVO: Over there.

Q: Over here, ok.

Garrett: On the right side.

Q: Right there.

MALVO: Well almost a midsection shot, almost, god when I hear this in court were gonna (inaudible) next.

Garrett: Can I talk to you for sec, sure you don't want anything? I'm just gonna leave this open, could you watch him.

*(There is a long pause)*

Garrett: Sure you don't want something, ok, uh sleepy.

MALVO: Not really, just thinking.

Garrett: Yeah me too, I get up and go to the gym so early this is almost my bedtime, I get up at 4 most days.

MALVO: Good time to go to the gym?

Garrett: I'm sorry.

MALVO: Good time to go to the gym early morning.

Garrett: Yeah exactly, you can stay focused more, it's not, it's not as busy.

MALVO: It's not as many people.

Garrett: Exactly. Just wait for JUNE to come back, we'll just go over a couple more things.

MALVO: Since you're asking so many questions, can I ask one question now?

Garrett: You can ask anything you want.

MALVO: Where's my father?

Garrett: Where is he, that's a good question, uh I know that, and I'm basing this on television because he's been interviewed by...

MALVO: No, no, no not him, JOHN.

Garrett: Oh, oh, I'm sorry, um I, I'll answer that question if I can, I'll check for you, I mean I'll be honest with you, I have been honest with you. Um before we leave here tonight I'll, I'll come back to you and at least I'll say I can't tell you, on that I can and I will if they say it's ok, JUNE.

Q: Go ahead.

Garrett: We're ready to start when ever you are?

Q: Ok

Garrett: Did you get any sleep last night? Were you in Super Max last night?

END OF TAPE 2.

Secretary: Jamie L. Kordes

(malvo-tape2)